

Law Offices of Daren A. Webber

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June 24, 2016

Jeffrey L. Sapir, Esq. Chapter 13 Case Trustee
399 Knollwood Road
Suite 102
White Plains, NY 10603

Re: 16-30001 James Sharp – Amended Letter

Dear Mr. Sapir:

This Office represents the above-referenced debtor.

As you know, the debtor is a repeat filer that has failed to appear for examination.

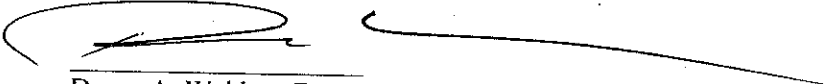
The debtor had been advised by me of the importance of meeting his obligations under the Code, yet, for several reasons (*known & unknown to me*); the debtor has failed to appear for examination.

The debtor sought representation in the instant case on the eve of a foreclosure sale for a property for which the debtor believes has equity for which the debtor desired to protect (*see exhibit A page 3 for rough value and page 5 for 4/12/2016 sale date- attached hereto*). Further, the instant case involved significant State and Federal income tax claims amounting to approximately \$496,770.37 for which I anticipated would require negotiation on the debtor's behalf (*see exhibit B attached hereto*). The debtor was further advised to complete both his Federal and State current and past income tax filings immediately and assured me that his accountant was actively preparing said documents.

In light of the debtor's filing history, I was hesitant to file the instant case, but only agreed to do so under the condition that the debtor assure me in writing that he did indeed intend to comply with his obligations under the Code (*see exhibit C attached hereto*).

Kindly see attached hereto as exhibits D further communications with debtor and third parties in prior cases and instant case.

Very Truly Yours,



Daren A. Webber, Esq.

**Copy: Debtor, file
Attachments**

EXHIBIT A

PROPERTY VALUATION INCLUDING SALE DATE OF 4/12/2016

Daren A. Webber, Esq.

Attorney at Law

Law Office of Daren A. Webber

134 West Main Street, Goshen, NY 10924

P: 845-615-9108

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Property Report by PropertyShark.com

Property Report for:

**50 Townsend Farm Rd, Lagrangeville, NY
12540**

A. Overview

A1. Your Notes

No notes found.

A2. Photos

Google StreetView

Upload photos for this property

Sorry, we have no imagery here.



Google StreetView Microsoft Bird's Eye View

A3. Overview

Location

Property address **50 Townsend Farm Rd
Lagrangeville, NY
125400000**

Section, Block, & Lot **6.560-3-441.301**

Parcel ID **55411**

Neighborhood

Municipal code **La Grange**

School district **Arlington**

Neighborhood **Lagrangeville**

Last Sale

Sale date **12/21/2001**

Sale price **\$622,000**

Owners**Show all 4 owners**

Name **James W Sharp &**

Address **50 Townsend Farm Rd
Lagrangeville, NY 12540**

Market Value and Taxes

Roll year **2015**

Land market value **\$121,300**

Improvement market value **\$605,800**

Full market value **\$727,100**

Property tax **\$24,226.97**

Land

Acreage **3.74**

Property class **One Family Year-Round
Residence (210)**

Zoning **R120**

Building

Year built **2001**

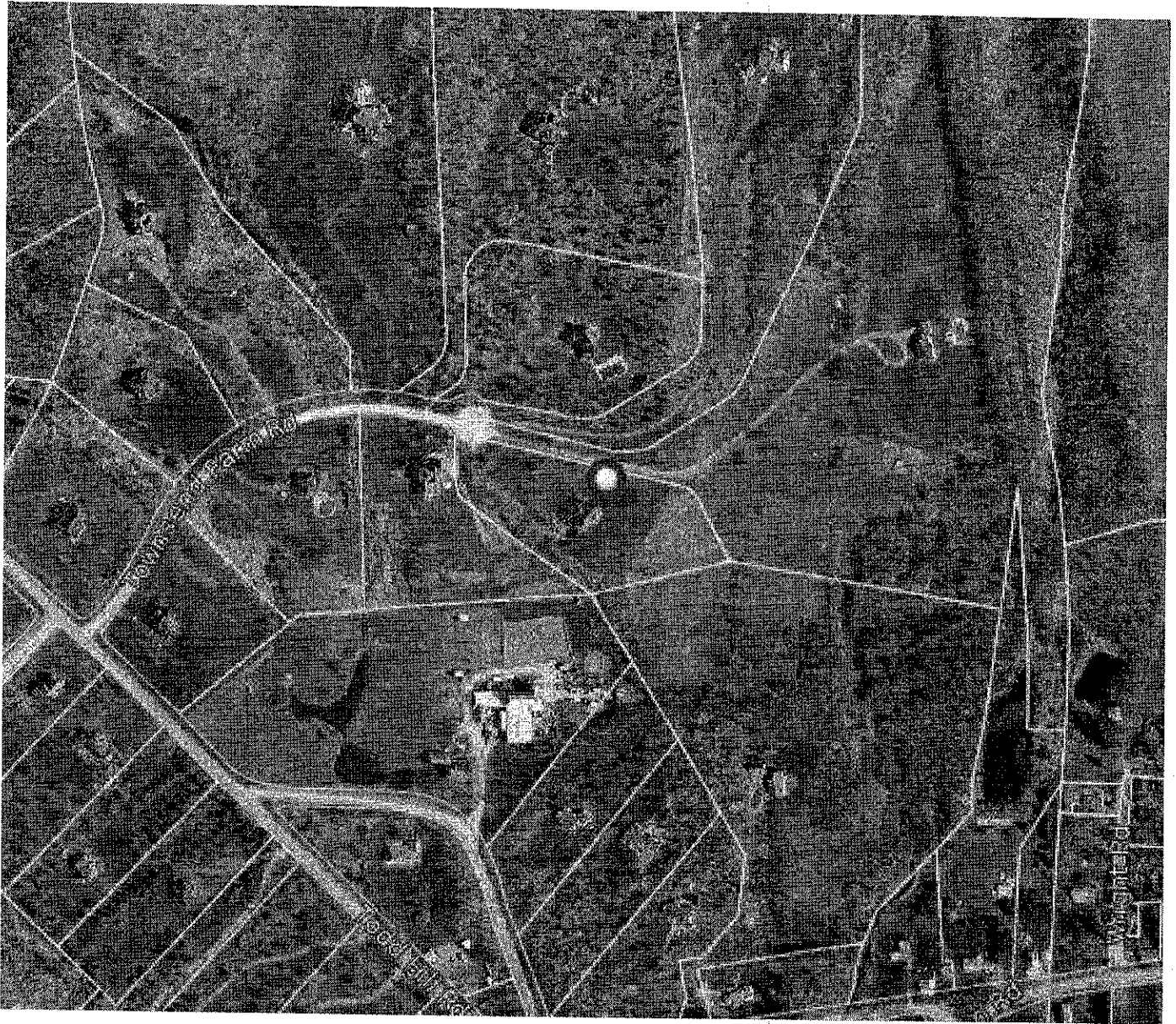
Square footage **4,345**

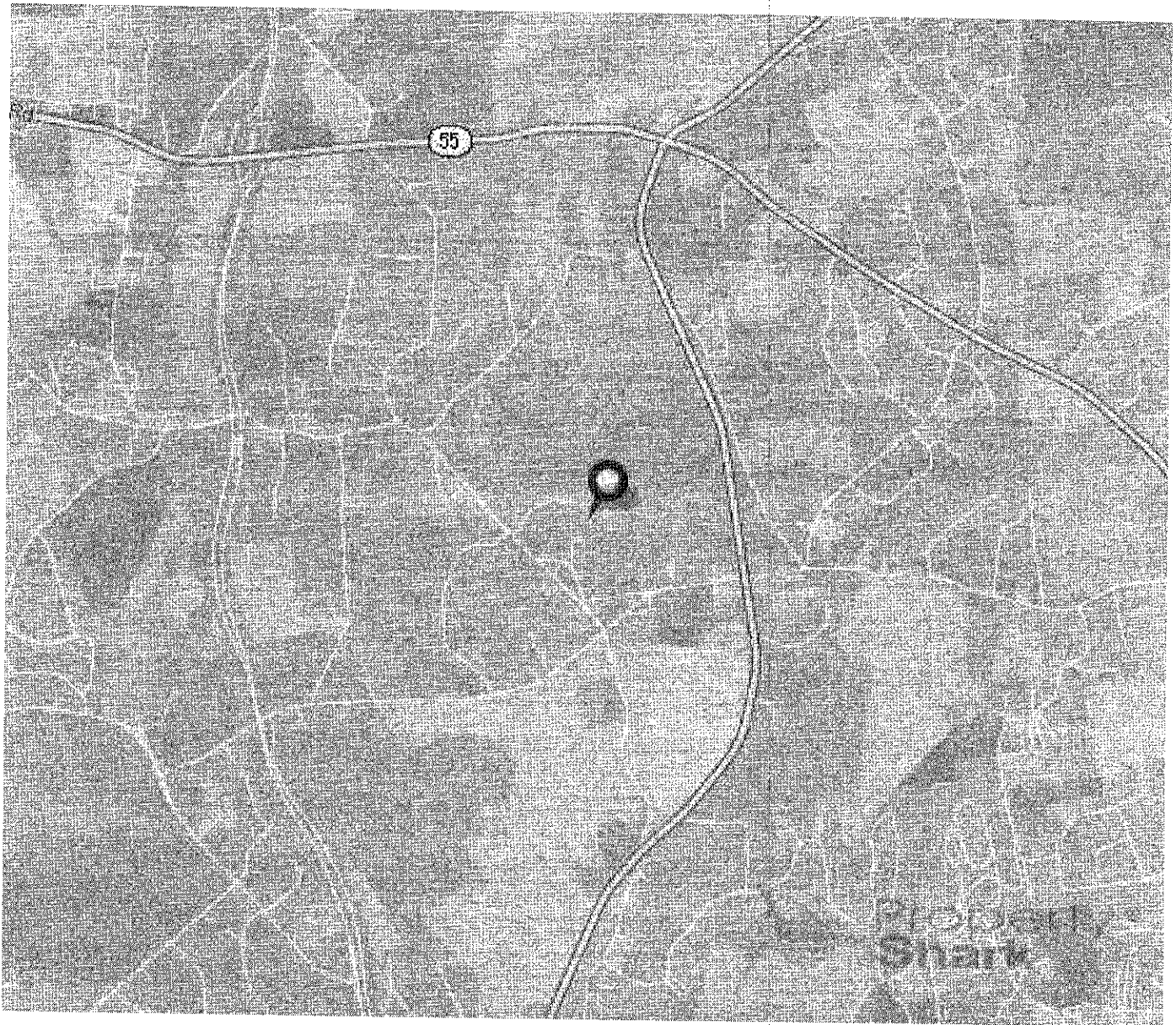
Stories **2**

Bedrooms **4**

Bathrooms **5**

A4. Maps





[Link to Yahoo Maps](#)
[Link to MapQuest Maps](#)
[Link to Live Search Maps](#)

A5. Foreclosure

Foreclosure Auctions

Auction Date	Lien	Judgment	Index No.
Previously scheduled			
4/12/2016	\$121,467	1/17/2014	2012-5330

Auction Date	Lien	Judgment	Index No.
11/23/2015	\$121,467	1/17/2014	2012-5330
3/9/2015	\$121,467	1/17/2014	2012-5330
1/8/2015	\$121,467	1/17/2014	2012-5330
6/11/2014	\$121,467	1/17/2014	2012-5330
5/6/2014	\$121,467	1/17/2014	2012-5330

A6. For Sale

Post Ad

Market Your Commercial Listing for FREE.

Have your listing displayed in front of thousands of potential buyers by posting it in our commercial for sale section. This enables you to:

Market your listing for free - no subscription required.

Reach a targeted audience - thousands of real estate investors visit our commercial for sale section each month.

Promote your listing in great detail - specify the type of property, upload photos, floor plans and much more.

B. Owners & Residents

B1. Ownership

James W Sharp &

Address: 50 Townsend Farm Rd

Location: Lagrangeville, NY 12540

Source: Assessment Roll

Last recorded: 07/01/2014

Phone Lookup

Link this owner to other properties

See who is behind the LLC

Add to Address Book

Kathryn Sharp &

Address: 50 Townsend Farm Rd
Location: Lagrangeville, NY 12540
Source: Assessment Roll
Last recorded: 07/01/2014

Phone Lookup

Link this owner to other properties

See who is behind the LLC

Add to Address Book

James W Sharp

Address: 50 Townsend Farm Rd
Location: Lagrangeville, NY 12540
Source: Assessment Roll
Last recorded: 07/01/2014

Phone Lookup

Link this owner to other properties

See who is behind the LLC

Add to Address Book

Kathryn Sharp

Address: 50 Townsend Farm Rd
Location: Lagrangeville, NY 12540
Source: Assessment Roll
Last recorded: 07/01/2014

Phone Lookup

Link this owner to other properties

See who is behind the LLC

Add to Address Book

C. Sales & Value

C1. Sales History

Recorded date	Type	Amount	Party1	Party2
12/31/2001	Deed	\$622,000	3-V Dev Corp	James/Kathryn Sharp 125 Easton Rd Westport, CT 06330
12/31/2001	Deed	\$0	Todd Hill Assoc Inc	3-V Dev Corp Po Box 911 Poughkeepsie, NY 12602

C2. Valuation Model

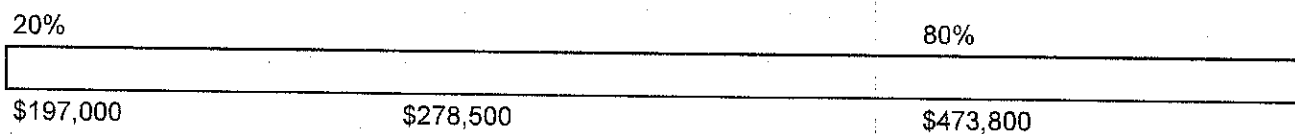
Our database has 51 properties that meet the following criteria:

Browse more recently sold properties in the neighborhood!

- Sold within the last 18 months
- In the 12540 zip code
- Property class One Family Year-Round Residence
- Sale price over \$25,000

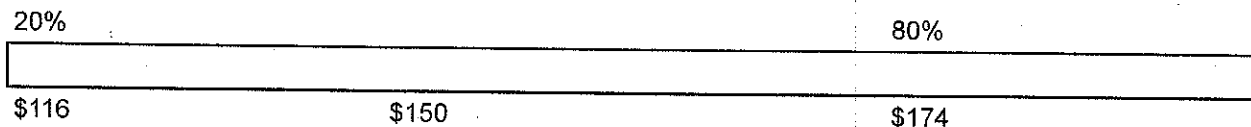
Price

The median price of these properties is \$278,500 (half of these properties sold for higher prices, half sold for lower prices). 20% of the properties sold for \$197,000 or less, and 20% sold for \$473,800 or more.



Price per Square Foot

The median price per square foot of these properties is \$150 (half of these properties sold for higher prices, half sold for lower prices). 20% of the properties sold for \$116 or less, and 20% sold for \$174 or more.



At the median price per square foot of \$150, this property (4,345 square feet) would be **\$654,360**.

Here is a sample of the 51 properties following the criteria defined above:

Address	Sale Price	Sale Date	\$ per Sq. Ft.	Total Sq. Ft.
4 Charlotte Dr	\$205,000	1/14/2015	\$167	1,222
119 Stringham Rd	\$192,000	1/15/2015	\$124	1,543
87 Skidmore Rd	\$290,000	1/22/2015	\$81	3,574
51 S Cross Rd	\$178,500	2/3/2015	\$127	1,396
86 Reggies Way	\$545,000	2/9/2015	\$141	3,865
29 Johnson Rd	\$250,000	2/25/2015	\$152	1,644
6 Sundance Rd	\$440,000	3/12/2015	\$151	2,905
114 N Cross Rd	\$220,000	4/10/2015	\$174	1,262
1 Budd Ln	\$60,000	4/15/2015	\$41	1,458

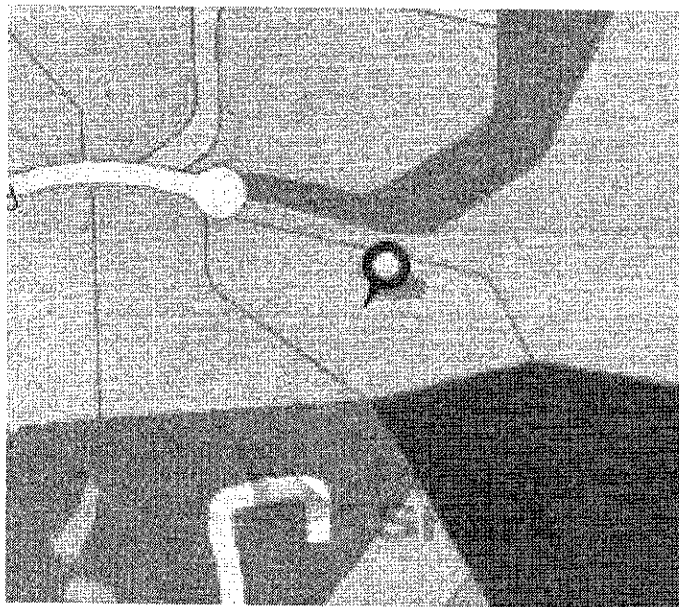
C3. Neighborhood Price History

We analyzed all sales of property class One Family Year-Round Residence in the 12540 zip code since 1980. For each year we found the median sale price (half of sales were higher, half were lower) and the median size of the properties sold (half were bigger, half were smaller). We also computed the median price per square foot for this property class and the value of a median (4,345 sqft) property if it were to sell for the median price per square foot.

Year	# of Sales	Median Price	Median Sq. Ft.	Median \$ per Sq. Ft.	Value at Median \$ per Sq. Ft.
2016	8	\$395,000	2,392	\$157	\$685,413
2015	43	\$275,000	1,881	\$135	\$586,916
2014	40	\$254,000	1,890	\$145	\$631,834
2013	21	\$250,000	2,031	\$137	\$597,935
2012	26	\$280,000	1,980	\$154	\$669,305
2011	24	\$205,000	1,794	\$142	\$620,020
2010	25	\$322,000	2,243	\$156	\$678,058
2009	13	\$356,000	2,177	\$164	\$715,626
2008	21	\$340,000	2,304	\$184	\$800,559
2007	26	\$380,000	2,420	\$177	\$770,792
2006	22	\$410,000	2,172	\$204	\$886,738
2005	44	\$380,000	1,926	\$192	\$835,576
2004	40	\$455,000	2,448	\$176	\$766,764
2003	24	\$300,000	2,024	\$149	\$650,665
2002	43	\$305,000	2,504	\$137	\$596,773
2001	33	\$185,000	2,344	\$112	\$487,563
2000	35	\$284,100	2,500	\$112	\$490,320
1999	54	\$260,000	2,500	\$103	\$451,826
1998	34	\$174,500	2,104	\$98	\$428,362
1997	21	\$169,000	2,554	\$75	\$329,449
1996	21	\$154,000	2,282	\$78	\$341,755
1995	26	\$139,000	2,052	\$80	\$351,711
1994	16	\$147,000	1,810	\$89	\$387,761
1993	18	\$141,900	2,258	\$84	\$367,830
1992	1	\$152,000	1,944	\$78	\$339,732

C4. Sales & Values Maps

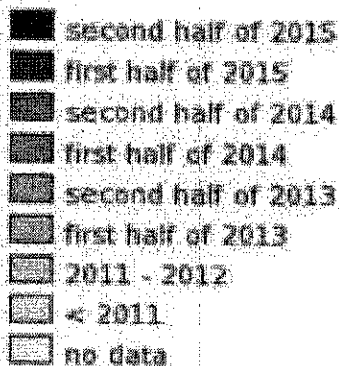
Date of Last Sale



* Sale Age: 14 years & 189 days

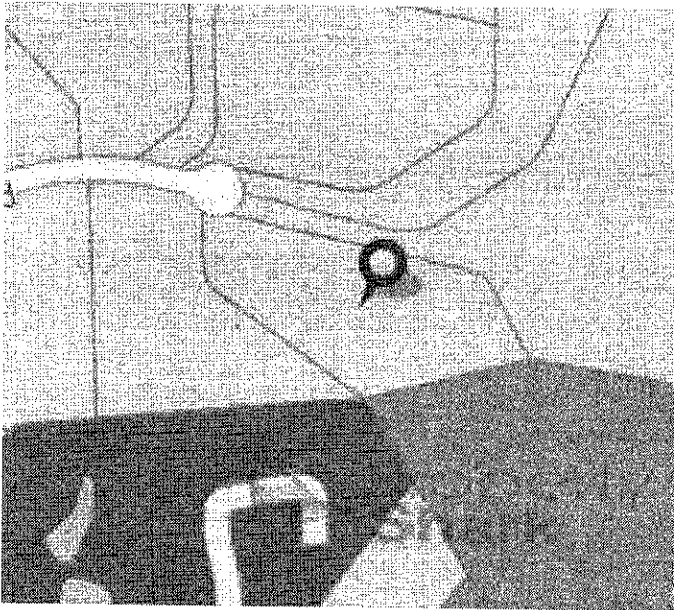
This map shows all recent sales on the parcel, but please note that there might be more than one property/unit on the parcel.

[Click here to see the most recent sales.](#)



Sale Date 12/21/2001
Sale Price \$622,000
Time Since Last Recorded 14 years & 189 days
Sale:

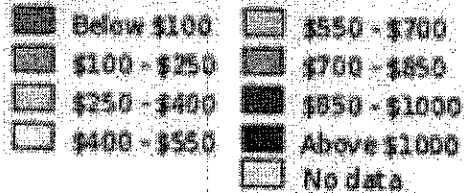
Price per Square Foot



* Price per SqFt: **\$143.15**

On this color-coded map, view the price paid per square foot for the last sale of the property.

[Click here to see the most recent sales on the parcel.](#)



Note: The map displays Price Per Square Foot (\$/sqft) for properties sold in the last 5 years.

Building Sqft	4,345
Sale Price	\$622,000
Price per Sqft	\$143.15

D. Development & Use

D1. Land

Site Description

Property class	One Family Year-Round Residence (210)	Utilities	Electric
Zoning	R120	Water supply	None
Neighborhood	Lagrangeville	Sewer type	None
Site desirability	Typical		

Site number	Land type	Acres	Shape
1	Primary	2.76	Regular
1	Undeveloped	.98	Regular

D2. Residential Buildings

General

Building style	Colonial
Square footage	4,345
Year built	2001
Stories	2

Rooms

Bedrooms	4
Full bathrooms	5
Kitchens	1

Details

Overall condition	Good
Grade	Good
Grade adjustment	100%
Basement type	Full
First story sq.ft.	2,035
Second story sq.ft.	2,310
Exterior wall material	Alum/vinyl

Utilities

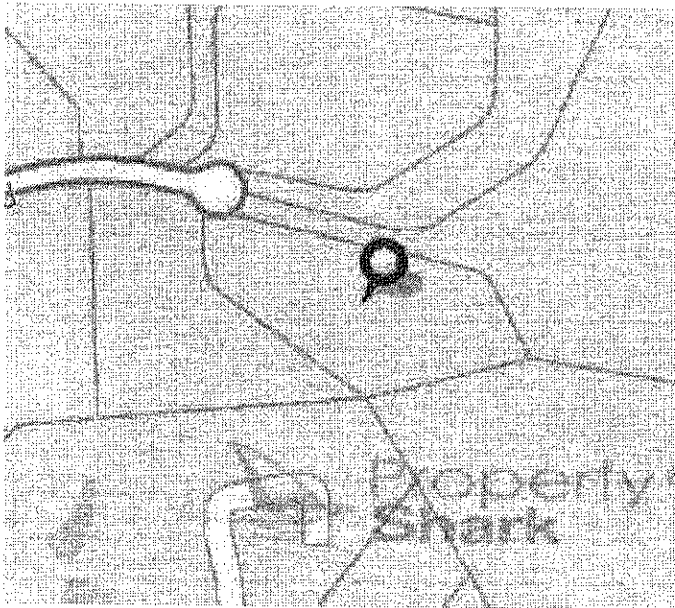
Heat type	Hot air
Fuel type	Oil
Central Air	1
Fireplaces	1

Improvements

Structure	Year built	Square feet	Overall condition	Grade	Quantity
Porch-coverd	2001	419	Normal	Good	1
Gar-1.0 att	2001	814	Good	Good	1

D3. Urban Landscape Maps











Zoning



Zoning District: Residential Low Density (RLD)

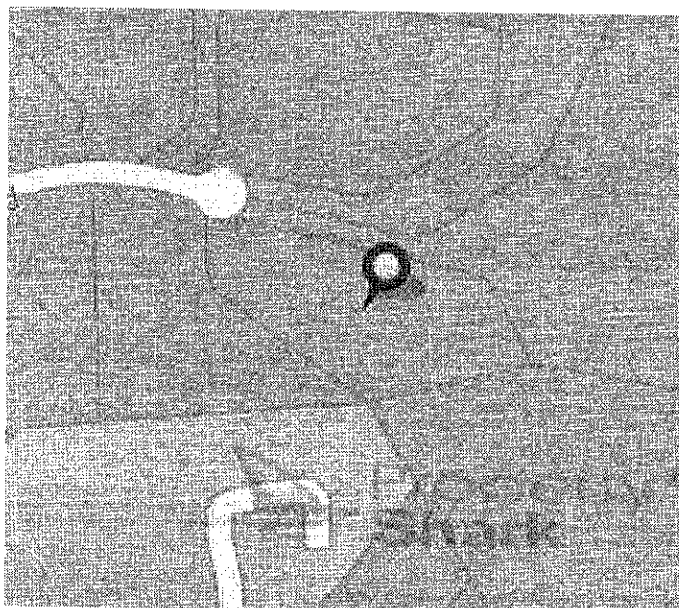
PropertyShark provides zoning designation for any property in Dutchess County.

Major zoning groups:

-  Multiple Family
-  Single Family
-  Other Residential
-  Commercial
-  Industrial/Manufacturing
-  Planned Development
-  Public Facilities
-  Open Space
-  Agricultural
-  Mixed Use
-  Special Zones
-  Planned Development - Overlay
-  No Zoning Data Available

Code	RLD
Description	Residential Low Density
Link	Local Zoning Site

Land Use



* Land Use: **One Family Year-Round Residence(210)**

On this map, view the current land use for a property, classified by residential, commercial, and civic usages.

Residential:

- Single Family
- Apartments
- Multi-Family
- Condo/Coop Units
- Other Residential

Commercial:

- Hotels
- Restaurants
- Retail
- Office & Professional Services
- Other commercial

Industrial:

- Transportation & Communications
- Factories/Storage Facilities
- Heavy Industrial
- Utilities & Other Industrial

Buildings (Spaces)

- /Civic Use
- Hospitals
- Schools
- Religious & Cemetery
- Cultural and Theater
- Recreational Facilities and Parks
- Government
- Other Buildings / Civic Use

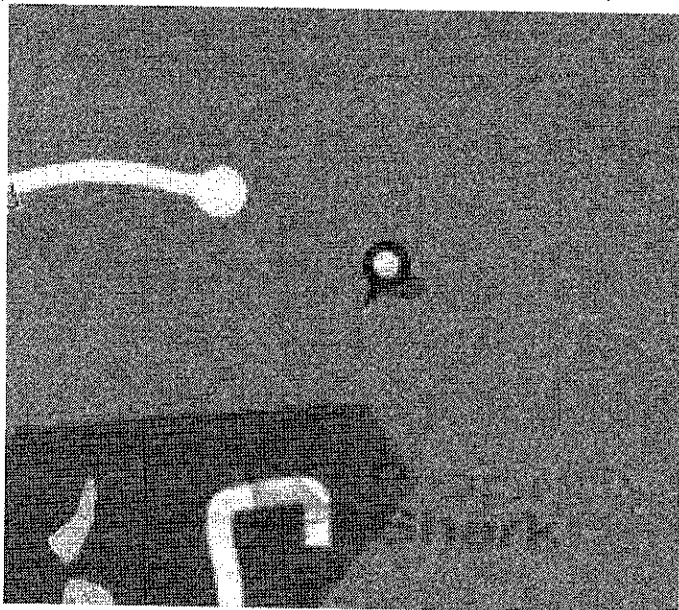
Agricultural:

- Farm & Ranch
- Agricultural
- Forests

Other:

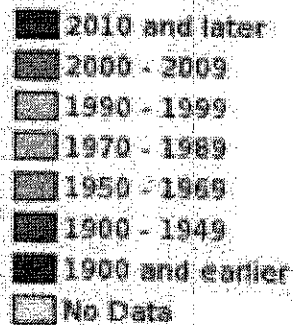
- Mixed use
- Vacant Land
- Misc
- Water
- Unknown

Year Built

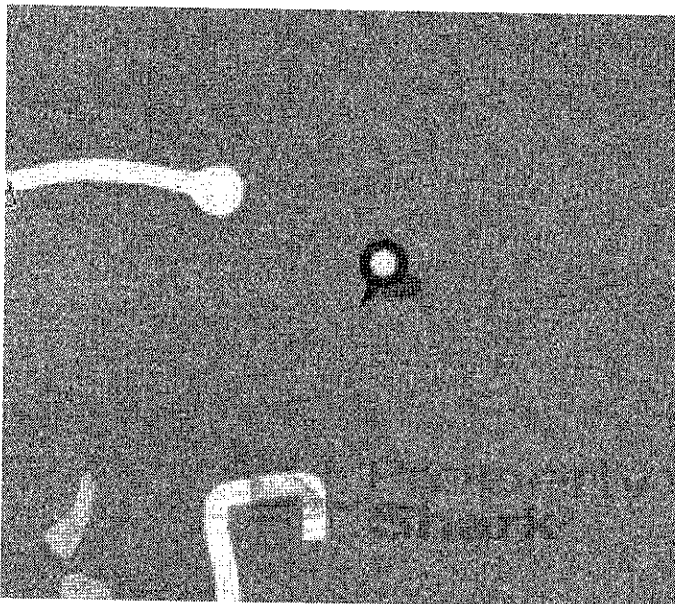


* Year Built: 2001

On this color-coded map, view the year each property was built.

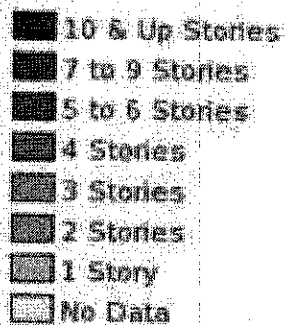


Building Stories



* Number of Stories: 2

On this map, view the number of stories per building.



E. Property Tax

E1. Property Tax

In New York State, the real property tax is a tax based on the value of real property. Counties, cities, towns, villages, school districts, and special districts each raise money through the real property tax. The money funds schools, pays for police and fire protection, maintains roads, and funds other municipal services enjoyed by residents.

Market Value

Market value is determined by the Department of Taxation and Finance and reflects the amount of money a buyer would be willing to pay a seller for property offered for sale on an open market, over a reasonable amount of time, where both the buyer and seller are well informed and neither is under undue pressure to act.

Land value	\$121,300
Building value	+ \$605,800
Market value	= \$727,100

Assessed Value

In New York State each municipality is authorized to assess the property at market value or some fraction of market value. The assessed value is a uniform percentage of the market value of the property as of January 2 for any given year. Equalization rates are calculated each year to reflect that year's assessment roll and current market values for each assessing unit. For this property, the equalization ratio is: **100.00%**.

Land assessed value	\$121,300
Building assessed value	+ \$605,800
Assessed value	= \$727,100

Exemptions

Dutchess County offers several exemptions that qualified homeowners can apply for, such as Veterans, Senior Citizen, Cold War Veterans, Volunteer Firefighters and Ambulance Workers, Limited Income Disability, or Home Improvement exemptions. Also, New York State School Tax Relief Program (STAR) provides homeowners who earn less than \$500,000 and own and live in their home with two types of partial exemptions from school property taxes.

Property Tax

Property tax is calculated by multiplying the assessed value with the corresponding tax rates.

Current tax represents the amount the present owner pays, including exemptions or reductions.

Base tax is an estimate of what an owner **not** benefiting from tax exemptions or reductions would pay.

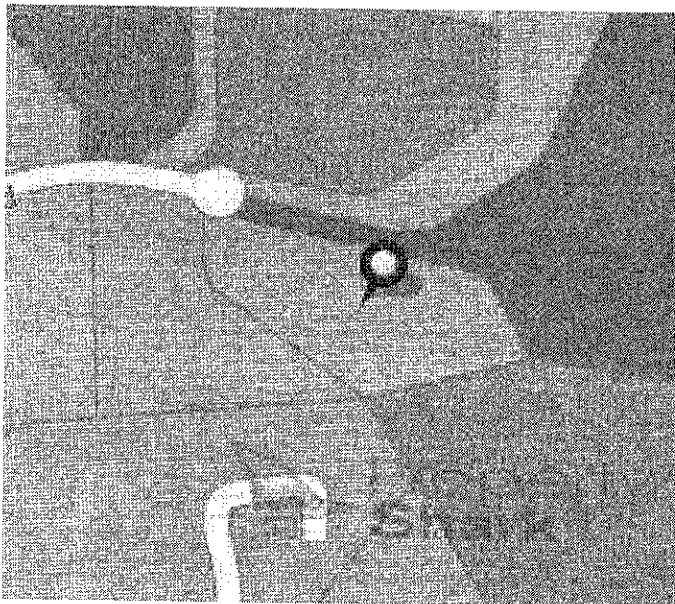
Actual taxes might differ from the figures displayed here due to various abatement and financial assistance programs.

Notice that we used 2013 tax rates, which may be subject of change.

Tax description	Assessed value	Exemption	Taxable value	Tax rate	Tax amount
Dutchess County	\$727,100	- \$0	= \$727,100	* 3.4500‰	= \$2,508.49
Town of La Grange	\$727,100	- \$0	= \$727,100	* 2.6600‰	= \$1,934.09
n/a	\$727,100	- \$727,100	= \$0	* 0.0000‰	= \$0.00
Arlington School District	\$727,100	- \$0	= \$727,100	* 27.2100‰	= \$19,784.39
Current tax					= \$24,226.97
Base tax	\$727,100			* 33.3200‰	= \$24,226.97

For more information please visit The New York State Department of Taxation and Finance or Dutchess County website.

Tax per Square Foot



On this map, you can see the tax value paid per square foot for this property.

Above \$10.00	\$4.00 - \$5.00
\$9.00 - \$10.00	\$3.00 - \$4.00
\$8.00 - \$9.00	\$2.00 - \$3.00
\$7.00 - \$8.00	\$1.00 - \$2.00
\$6.00 - \$7.00	Below \$1.00
\$5.00 - \$6.00	No Data

Property Tax	\$24,226.97
Tax Year	2014
Square Foot	4345 SqFt
Tax per sqft:	\$5.58

* Tax per SqFt: \$5.58

E2. Assessment History

Year	Property class	Market value	Assessment value	Total tax rate	Property tax
------	----------------	--------------	------------------	----------------	--------------

Year	Property class	Market value	Assessment value	Total tax rate	Property tax
2011	One Family Year-Round Residence	\$828,500	\$828,500	25.15%	\$20,836.78
2010	One Family Year-Round Residence	\$828,500	\$828,500	21.88%	\$18,127.58
2009	One Family Year-Round Residence	\$920,500	\$920,500	n/a	n/a

F. Neighborhood

F1. Neighbors

Address	Property class	Square feet	Sale date	Sale price
46 Townsend Farm Rd	One Family Year-Round Residence(210)	4,507	6/17/2002	\$553,700
56 Townsend Farm Rd	Rural Residence With Acreage(240)	2,842	10/1/2002	\$759,000
26 Townsend Farm Rd	One Family Year-Round Residence(210)	3,242	6/18/2001	\$0
4 Townsend Farm Rd	One Family Year-Round Residence(210)	3,286	6/25/2004	\$725,000

F2. Demographics By Tract

Tract profile

Tract number	80101
Total population	177

Race & Ethnicity

White	60%
Black or African American	31%

Education

High school graduates	38%
College graduates	21%

Other

Average age	27
Citizens	100%
English speakers	34%

Housing

Owners	18%
Average occupants per room	1
Average year structure built	1973
Average year moved in	1996
Average units in structure	2

Wealth

Median house value	\$55,000
Median rent	\$523
Renters spending <35% of income on housing	100%
Owners spending <50% of income on housing	57%
Population in poverty	38%

Economic/Employment

Median household income	\$28,672
Household income-Employed or retired	94%

Transportation

Commuting by own vehicle	38%
Average travel time to work (min)	43

Disclaimer

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All data comes from government sources. No attempt has been made to validate it. No attempt has been made to validate the accuracy of the programming of this web site. Do not rely on this report to support investment decisions. The only authoritative source for the information in this report is the government agencies from which the data was acquired.

EXHIBIT B

PROOF OF CLAIMS FILED



**New York State Department of
Taxation and Finance**

Bankruptcy Section
P O Box 5300
Albany NY 12205-0300

(518) 457-3160

Statement date: 5/17/2016

Amendment: 1st

Case number: 16-30001 CGM

Refer to this number for inquiries

Total claim amount: \$53,354.73

Taxpayer ID#: 8180

Pre-Petition Proof of Claim

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
355 MAIN STREET
2ND FLOOR
POUGHKEEPSIE, NY 12601

This is a statement of tax liabilities for SHARP-JAMES W. Penalty and interest for each liability is computed to 4/11/2016.

Secured Liabilities

Tax Type	Period End	Notice Number	Tax	Penalty	Interest	Total	Type	Warrant Date	Cnty
INCOME	12/31/08	L-038069576-9	1,974.84	5,954.28	8,383.92	16,313.04	AUD	04/08/13	DUTC
INCOME	12/31/09	L-038069577-8	2,727.00	1,396.19	1,943.30	6,066.49	AUD	04/08/13	DUTC
INCOME	12/31/10	L-042270504-7	11,969.00	6,060.37	5,852.40	23,881.77	AUD	07/30/15	DUTC
SubTotal \$						46,261.30			

Unsecured Priority Liabilities

Tax Type	Period End	Notice Number	Tax	Penalty	Interest	Total	Type
INCOME	12/31/11	L-044779118-2	3,552.91	0.00	1,272.52	4,825.43	EST
SubTotal \$						4,825.43	

General Unsecured Liabilities

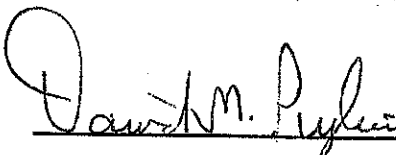
Tax Type	Period End	Notice Number	Tax	Penalty	Interest	Total	Type
INCOME	12/31/11	L-044779118-2	0.00	2,268.00	0.00	2,268.00	EST
SubTotal \$						2,268.00	

This claim amends and supercedes the previous claim dated 4/25/2016.

Current Annual Interest Rates by Tax Type: Personal Income - 7.5%

The Department requests interest be paid at the above rate(s) on the secured liabilities portion of this proof of claim, as provided by 11 USC 1325(a)(5)(B)(ii) and USC 511.

Liability Type Descriptions: EST - Estimated (No Return Filed), AUD - Audit Assessment


David M. Pyle

Fill in this information to identify the case:

Debtor 1 JAMES SHARP

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: SOUTHERN District of NEW YORK
(State)

Case number 16-30001-CGM

Official Form 410 Proof of Claim

04/16

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	Department of the Treasury - Internal Revenue Service Name of the current creditor (the person or entity to be paid for this claim)	
	Other names the creditor used with the debtor _____	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent?	Where should payments to the creditor be sent? (if different)
	<p>Internal Revenue Service Name _____ P.O. Box 7346 Number _____ Street _____ Philadelphia PA 19101-7346 City State ZIP Code Contact phone 1-800-973-0424 Contact email _____ Creditor Number: 6931287 Uniform claim identifier for electronic payments in chapter 13 (if you use one) _____</p>	<p>Internal Revenue Service Name _____ P.O. Box 7317 Number _____ Street _____ Philadelphia PA 19101-7317 City State ZIP Code Contact phone 1-800-973-0424 Contact email _____</p>
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on: _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor?

☐ No

☒ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: See Attachment

7. How much is the claim?

\$ 443,415.64

Does this amount include interest or other charges?

☐ No

☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim?

Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.

Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).

Limit disclosing information that is entitled to privacy, such as health care information.

Taxes

9. Is all or part of the claim secured?

☐ No

☒ Yes. The claim is secured by a lien on property.

Nature of property:

☒ Real Estate. If the claim is secured by the debtor's principal residence, file a Mortgage Proof of Claim Attachment (Official Form 410-A) with this Proof of Claim.

☒ Motor Vehicle

☒ Other. Describe: *All of debtor(s) right, title and interest to property - 26 U.S.C. §6321.

Basis for perfection:

See Attachment

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of Property:

\$ _____

Amount of the claim that is secured:

\$ 128,428.59

Amount of the claim that is unsecured:

\$ 314,987.05

(The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition:

\$ _____

Annual Interest Rate (when case was filed) 4 %

☐ Fixed

☒ Variable

10. Is this claim based on a lease?

☒ No

☐ Yes. Amount necessary to cure any default as of the date of the petition.

\$ _____

11. Is this claim subject to a right of setoff?

☐ No

☒ Yes. Identify the property See Attachment

12. Is all or part of the claim entitled to priority under 11 U.S.C. §507(a)?

☐ No

☒ Yes. Check all that apply:

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

☐ Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

☐ Up to \$2,850* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

☐ Wages, salaries, or commissions (up to \$12,850*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

☒ Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

☐ Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

☐ Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ 303,111.41

\$ _____

\$ _____

*Amounts are subject to adjustment on 4/01/19 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it.
FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

☒ I am the creditor.

☐ I am the creditor's attorney or authorized agent.

☐ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 05/06/2016
MM/DD/YYYY

/s/ KAREN BURKE
(Signature)

Print the name of the person who is completing and signing this claim:

Name KAREN BURKE
First name Middle name Last name

Title Bankruptcy Specialist

Company Internal Revenue Service
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 290 Broadway
Number Street

New York NY 10007
City State ZIP Code

Contact Phone (212) 436-1318 Email: _____

Proof of Claim for Internal Revenue Taxes

Department of the Treasury/Internal Revenue Service



Form 410
Attachment

In the Matter of: JAMES SHARP

50 TOWNSEND FARM RD
LAGRANGEVILLE, NY 12540-5965

Case Number

16-30001-CGM

Type of Bankruptcy Case
CHAPTER 13

Date of Petition
04/11/2016

The United States has not identified a right of setoff or counterclaim. However, this determination is based on available data and is not intended to waive any right to setoff against this claim debts owed to this debtor by this or any other federal agency. All rights of setoff are preserved and will be asserted to the extent lawful.

Secured Claims (Notices of Federal tax lien filed under internal revenue laws before petition date)

Taxpayer ID Number	Kind of Tax	Tax Period	Date Tax Assessed	Tax Due	Penalty to Petition Date	Interest to Petition Date	Notice of Tax Lien Filed: Date	Office Location
XXX-XX-8180	INCOME	12/31/2007	11/28/2011	\$7,147.92	\$4,814.30	\$2,587.51	10/06/2014	DUTCHESS COUNTY
XXX-XX-8180	INCOME	12/31/2008	11/07/2011	\$56,319.64	\$39,994.23	\$17,564.99	10/06/2014	DUTCHESS COUNTY
				\$63,467.56	\$44,808.53	\$20,152.50		

Total Amount of Secured Claims:

\$128,428.59

Unsecured Priority Claims under section 507(a)(8) of the Bankruptcy Code

Taxpayer ID Number	Kind of Tax	Tax Period	Date Tax Assessed	Tax Due	Interest to Petition Date
XXX-XX-8180	INCOME	12/31/2011	/ Unassessed-No Return	\$19,111.26	\$2,435.94
XXX-XX-8180	INCOME	12/31/2012	/ Unassessed-No Return	\$67,259.41	\$6,336.13
XXX-XX-8180	INCOME	12/31/2013	/ Unassessed-No Return	\$58,518.41	\$3,620.36
XXX-XX-8180	INCOME	12/31/2014	/ Unassessed-No Return	\$76,636.64	\$2,336.30
XXX-XX-8180	INCOME	12/31/2015	/ Unassessed-No Return	\$66,856.96	\$0.00
				\$288,382.68	\$14,728.73

Total Amount of Unsecured Priority Claims:

\$303,111.41

Unsecured General Claims

Taxpayer ID Number	Kind of Tax	Tax Period	Date Tax Assessed	Tax Due	Interest to Petition Date
XXX-XX-8180	INCOME	12/31/2010	/ Unassessed-No Return	\$10,174.27	\$1,701.37

Total Amount of Unsecured General Claims:

\$11,875.64

UNASSESSED TAX LIABILITY(IES) HAVE BEEN LISTED ON THIS CLAIM BECAUSE OUR RECORDS SHOW NO RETURN(S) FILED. WHEN THE DEBTOR(S) FILES THE RETURN OR PROVIDES OTHER INFORMATION AS REQUIRED BY LAW THE CLAIM WILL BE AMENDED.

Fill in this information to identify the case:

Debtor 1 James Sharp

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Southern District of New York

Case number 16-30001

Official Form 410

Proof of Claim

12/15

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	<u>Citizens Bank, N.A.</u> Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor <u>RBS Citizens, N.A.</u>	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____	
3. Where should notices and payments to the creditor be sent? Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)	Where should notices to the creditor be sent? <u>Harris Beach PLLC Attn: Kevin Tompsett, Esq</u> Name <u>99 Garnsey Road</u> Number Street <u>Pittsford</u> <u>NY</u> <u>14534</u> City State ZIP Code Contact phone <u>585-419-8738</u> Contact email <u>ktompsett@harrisbeach.com</u>	Where should payments to the creditor be sent? (if different) <u>Citizens Bank, N.A. Attn: Aviva Wright</u> Name <u>10561 Telegraph Road</u> Number Street <u>Glen Allen</u> <u>VA</u> <u>23059</u> City State ZIP Code Contact phone <u>804-627-4281</u> Contact email <u>aviva.wright@citizensbank.com</u>
Uniform claim identifier for electronic payments in chapter 13 (if you use one): _____		
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____	

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☐ No
☒ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 0 5 8 8

7. How much is the claim? \$ 154,815.45 Does this amount include interest or other charges?
☐ No
☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card.
Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c).
Limit disclosing information that is entitled to privacy, such as health care information.
Note and Mortgage on 50 Townsend Farm Rd., Lagrangeville, NY 12540-5965 (Not debtor's primary residence)

9. Is all or part of the claim secured? ☐ No
☒ Yes. The claim is secured by a lien on property.
Nature of property:
☒ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____
Basis for perfection: Filed Mortgage (Second Mortgage)
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)
Value of property: \$ 600,000.00
Amount of the claim that is secured: \$ 154,815.45
Amount of the claim that is unsecured: \$ 0.00 (The sum of the secured and unsecured amounts should match the amount in line 7.)
Amount necessary to cure any default as of the date of the petition: \$ 154,815.45
Annual Interest Rate (when case was filed) 9.0 %
☒ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No
☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No
☐ Yes. Identify the property: _____

Fill in this information to identify the case:

Debtor 1 James Sharp

Debtor 2
(Spouse, if filing) _____

United States Bankruptcy Court for the: Southern District of New York

Case number 16-30001

Official Form 410

Proof of Claim

12/15

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 603.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both, 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Citizens Bank, N.A.

Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor RBS Citizens, N.A.

2. Has this claim been acquired from someone else?

☒ No

☐ Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Where should notices to the creditor be sent?

Harris Beach PLLC Attn: Kevin Tompsett, Esq

Name

99 Garnsey Road

Number Street

Pittsford

NY

14534

City

State

ZIP Code

Contact phone 585-419-8738

Contact email ktompsett@harrisbeach.com

Where should payments to the creditor be sent? (if different)

Citizens Bank, N.A. Attn: Veronica Tucker

Name

10561 Telegraph Road

Number Street

Glen Allen

VA

23059

City

State

ZIP Code

Contact phone 804-627-4843

Contact email veronica.a.tucker@citizensbank.com

Uniform claim identifier for electronic payments in chapter 13 (if you use one):

4. Does this claim amend one already filed?

☒ No

☐ Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

☒ No

☐ Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? ☐ No ☒ Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 5 4 8 5

7. How much is the claim? \$ 269,901.89 Does this amount include interest or other charges? ☐ No ☒ Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.
Note and Mortgage on 50 Townsend Farm Rd., Lagrangeville, NY 12540-5965 (Not debtor's primary residence)

9. Is all or part of the claim secured? ☐ No ☒ Yes. The claim is secured by a lien on property.
Nature of property: ☒ Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.
☐ Motor vehicle
☐ Other. Describe: _____

Basis for perfection: Filed Mortgage (First Mortgage)
Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ 600,000.00
Amount of the claim that is secured: \$ 269,901.89
Amount of the claim that is unsecured: \$ 0.00 (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ 12,689.09

Annual Interest Rate (when case was filed) 6.625 %
☒ Fixed
☐ Variable

10. Is this claim based on a lease? ☒ No ☐ Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? ☒ No ☐ Yes. Identify the property: _____

EXHIBIT C

APRIL 11, 2016 LETTER FROM DEBTOR TRANSMITTED VIA EMAIL



Daren Webber <darenawebberllc@gmail.com>

My Letter

James Sharp <jameswsharpmd2416@mac.com>

To: darenawebberllc@gmail.com

Mon, Apr 11, 2016 at 5:47 AM



Daren A Webber.docx

56K

Daren A Webber
Attorney
134 W. Main Street, Ste 2
Goshen, NY 10924

Dear Daren,

As my attorney I ask you to file my bankruptcy case.
I know that I have filed two times in the past and did not go through the process.
The first time I had to deal with medical issues and the second time I had an
unexpected drop in income.

This time I intend to settle the second mortgage with the bank in full or pay them off
in five years, because I am able to draw funds from my retirement account. Then I
plan to directly deal and settle with the IRS.

Again I ask you to file my case on my behalf.

Sincerely,

James W. Sharp
50 Townsend Farm Rd
Lagrangeville, NY
12540



Daren Webber <darenawebberllc@gmail.com>

My Letter

Daren Webber <darenawebberllc@gmail.com>

Mon, Apr 11, 2016 at 7:50 AM

To: James Sharp <jameswsharpmd2416@mac.com>

thank you, got it. Case will be filed this day.

2016-04-11 5:47 GMT-04:00 James Sharp <jameswsharpmd2416@mac.com>:

--

"One who breaks an unjust law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Injustice anywhere is a threat to justice everywhere.

Our lives begin to end the day we become silent about things that matter."

Dr. Martin Luther King, Jr.

EXHIBIT D

COMMUNICATIONS IN INSTANT CASE AND PRIOR CASE



Daren Webber <webberlawfirm@gmail.com>

(no subject)

Daren A. Webber, Esq. <webberlawfirm@gmail.com>

Thu, Jul 3, 2014 at 3:00 PM

To: "Dr. Jim Sharp Client Bankruptcy" <jameswsharpmd2416@mac.com>

Mr. Sharp,

Per our conversation this day, you are to transmit a letter to my office detailing your medical condition and inability to see the bankruptcy through.

I wish you the best of luck.

Will follow up within one month for re-refiling.

Daren

Daren A. Webber, Esq.



Daren Webber <webberlawfirm@gmail.com>

(no subject)

Daren A. Webber, Esq. <webberlawfirm@gmail.com>

Sun, Jul 13, 2014 at 12:26 AM

To: "Dr. Jim Sharp Client Bankruptcy" <jameswsharpmd2416@mac.com>

Mr. Sharp,

Per your instruction the case has been voluntarily dismissed (see attached docs).

Although a subsequent filing would only effect a STAY for 30, days, said stay can be extended if good cause can be shown. Since you claim "medical condition" I believe a re-filing would provide you with the relief you will likely need in the near future.

Kindly keep me informed of any activity regarding your property so that I may move to protect your interest.

On a personal note, I wish you well with your health issues and hope for a speedy resolution of your medical issues. Take care of your health first.

Warmest regards,

Daren

[Quoted text hidden]

--

Daren A. Webber, Esq.
Law Office of Daren A. Webber
134 West Main Street
2nd Floor
Goshen, New York 10924
Website: <http://www.DarenAWebberEsq.com>
Office Tel.: (845) 615-9108
Cellular Tel.: (845) 776-0201
Fax Line: (845) 507-1169

Linda, McKnight, Bankruptcy & Foreclosure/Mortgage Modification Paralegal
Edward N. Celiz, Immigration Paralegal

Law Offices of Daren A. Webber is a debt relief agency helping people to file for bankruptcy relief under the bankruptcy code. Please note that the use of the internet for communications with the firm will not establish an attorney-client relationship, and messages containing confidential or time-sensitive information should not be sent via this media.

2 attachments



14-36209 Sharp Application for Dismissal.pdf

56K



14-36209 Sharp Proposed Order Dismissing Chapter 13 Case.pdf

58K



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Sun, Anthony (USANYS) <Anthony.Sun@usdoj.gov>

Thu, Jan 7, 2016 at 3:57 PM

To: "darenawebberllc@gmail.com" <darenawebberllc@gmail.com>

Mr. Webber,

Attached please find the Notice of Appearance on behalf of the United States of America, filed today.

Best,

Tony

Anthony J. Sun

Assistant United States Attorney

Southern District of New York

86 Chambers Street

New York, New York 10007

Tel: (212) 637-2810

Fax: (212) 637-2786



DDE 10 - NOA.pdf
466K



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Daren Webber <darenawebberllc@gmail.com>

To: "Sun, Anthony (USANYS)" <Anthony.Sun@usdoj.gov>

Thu, Jan 7, 2016 at 5:04 PM

Thank you

[Quoted text hidden]



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Sun, Anthony (USANYS) <Anthony.Sun@usdoj.gov>

Fri, Jan 8, 2016 at 5:24
PM

To: Daren Webber <darenawebberllc@gmail.com>

Mr. Webber,

Does Mr. Sharp (a) intend to file a Chapter 13 Plan soon, and (b) intend to file his delinquent tax returns for tax years 2006 through 2015 inclusive in the extremely near future? If not, the IRS will move to dismiss the petition. Please advise.

Best,

Tony

Anthony J. Sun

Assistant United States Attorney

Southern District of New York

86 Chambers Street

New York, New York 10007

Tel: (212) 637-2810

Fax: (212) 637-2786



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Daren Webber <darenawebberllc@gmail.com>

Fri, Jan 8, 2016 at 8:05 PM

To: "Sun, Anthony (USANYS)" <Anthony.Sun@usdoj.gov>

I've sent several correspondences to Mr. Sharp since the case filing noting my need to complete his filing. I've had no reply whatsoever from Mr. Sharp. I will continue to reach out to him. I am unsure if there is a personal issue with Mr. Sharp or whether he has abandoned his case.

[Quoted text hidden]



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Sun, Anthony (USANYS) <Anthony.Sun@usdoj.gov>

Mon, Jan 11, 2016 at 11:15 AM

To: Daren Webber <darenawebberllc@gmail.com>

Mr. Webber,

Thanks for the update. Please let me know next week whether you have heard and whether you will be proceeding with this case (which I believe is the third Chapter 13 petition since June 2014). If you intend to proceed, the tax returns must be filed to avoid dismissal.

Thanks,

Tony

Anthony J. Sun

Assistant United States Attorney

Southern District of New York

86 Chambers Street

New York, New York 10007

Tel: (212) 637-2810

Fax: (212) 637-2786



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Daren Webber <darenawebberllc@gmail.com>

Mon, Jan 11, 2016 at 1:50 PM

To: "Sun, Anthony (USANYS)" <Anthony.Sun@usdoj.gov>

I will. Warm regards. Daren

[Quoted text hidden]



Daren Webber <darenawebberllc@gmail.com>

In re Sharp, 15-37137 (CGM)

Daren Webber <darenawebberllc@gmail.com>

Wed, Jan 20, 2016 at 8:20 AM

To: "Sun, Anthony (USANYS)" <Anthony.Sun@usdoj.gov>

This is this first response I've received from Mr. Sharp since before you and I last spoke:

"Mr. Webber I have been ill and at this time I can not go through with the chapter 13 process."

I'll move to dismiss today on behalf of Mr. Sharp as instructed by him.

Daren

[Quoted text hidden]



Daren Webber <darenawebberllc@gmail.com>

Your bankruptcy case1 message

Daren Webber <darenawebberllc@gmail.com>

Sun, Jan 31, 2016 at 11:40 PM

To: jameswsharpmd2416@mac.com

Mr. Sharp:

As you know your case was dismissed upon your request do to your medical issues and incapacity. Dismissed 01/21/2016.

Please be aware that you are no longer under the protection of the bankruptcy stay and your home is at risk. Be alert to any changes in status re your home. Further, as we discussed, the IRS made an appearance in the case and that related debt is an issue that must be dealt with eventually.

Please stay in touch and call upon me if you need my assistance.

Warm regards,

Daren

"One who breaks an unjust law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Injustice anywhere is a threat to justice everywhere.

Our lives begin to end the day we become silent about things that matter."

Dr. Martin Luther King, Jr.



Daren Webber <darenawebberllc@gmail.com>

James Sharp- Ch. 13 Case # 16-300015 messages

Davies, Kileen C (TAX) <Kileen.Davies@tax.ny.gov>

Mon, May 23, 2016 at 10:30 AM

To: "darenawebberllc@gmail.com" <darenawebberllc@gmail.com>

Mr. Webber,

I am writing on behalf of the New York State Department of Taxation and Finance (NYS DTF) in connection with the above debtor. The NYS DTF filed a secured proof of claim in the amount of \$46,261.30 (copy attached). The debtor's Plan fails to provide any payment of the NYS DTF proof of claim. Please advise whether you will amend the Plan to provide for full payment of the claim pursuant to 11 U.S.C. §1325.

Thank you,

Kileen C. Davies

Senior Attorney

New York State Department of Taxation and FinanceW A Harriman Campus, Office of Counsel, Building 9 Room 228, Albany, NY 12227
(518) 457-2070 | Kileen.Davies@tax.ny.govwww.tax.ny.gov

This communication may contain confidential and/or legally privileged information. It is intended only for the individuals named as recipients. If you are not an intended recipient you are not authorized to disseminate, distribute or copy this communication. If you've received this communication by mistake, please notify the sender immediately and delete or

destroy it, as appropriate.



NYS DTF POC.pdf

28K

Davies, Kileen C (TAX) <Kileen.Davies@tax.ny.gov>

Tue, Jun 7, 2016 at 10:45
AM

To: "darenawebberllc@gmail.com" <darenawebberllc@gmail.com>

Mr. Webber,

I am writing to follow up with you about my email below. Please advise about the status of an updated plan.

Please note that the NYS Dep't of Taxation and Finance does not have a record that debtor filed a personal income tax return since 2005. Please advise whether the debtor will be filing the outstanding returns. If he will be filing the delinquent returns, you may forward them to my attention and I will send them to the bankruptcy unit for processing.

Kileen C. Davies

Senior Attorney

New York State Department of Taxation and Finance

W A Harriman Campus, Office of Counsel, Building 9 Room 228, Albany, NY 12227
(518) 457-2070 | Kileen.Davies@tax.ny.gov

www.tax.ny.gov

From: Davies, Kileen C (TAX)

Sent: Monday, May 23, 2016 10:31 AM

To: darenawebberllc@gmail.com

Subject: James Sharp- Ch. 13 Case # 16-30001

[Quoted text hidden]

[Quoted text hidden]

Davies, Kileen C (TAX) <Kileen.Davies@tax.ny.gov>

Fri, Jun 10, 2016 at 1:13
PM

To: "darenawebberllc@gmail.com" <darenawebberllc@gmail.com>

Cc: "Jeffrey L. Sapir's Office" <info@sapirch13tr.com>

Mr. Webber,

Please find attached letter.

Kileen C. Davies

Senior Attorney

New York State Department of Taxation and Finance

W A Harriman Campus, Office of Counsel, Building 9 Room 228, Albany, NY 12227

(518) 457-2070 | Kileen.Davies@tax.ny.gov

www.tax.ny.gov

From: Davies, Kileen C (TAX)

Sent: Tuesday, June 07, 2016 10:46 AM

To: darenawebberllc@gmail.com

Subject: RE: James Sharp- Ch. 13 Case # 16-30001

Mr. Webber,

I am writing to follow up with you about my email below. Please advise about the status of an updated plan.

Please note that the NYS Dep't of Taxation and Finance does not have a record that debtor filed a personal income tax return since 2005. Please advise whether the debtor will be filing the outstanding returns. If he will be filing the delinquent returns, you may forward them to my attention and I will send them to the bankruptcy unit for processing.

Kileen C. Davies

Senior Attorney

New York State Department of Taxation and Finance

W A Harriman Campus, Office of Counsel, Building 9 Room 228, Albany, NY 12227
(518) 457-2070 | Kileen.Davies@tax.ny.gov

www.tax.ny.gov

From: Davies, Kileen C (TAX)

Sent: Monday, May 23, 2016 10:31 AM

To: darenawebberllc@gmail.com

Subject: James Sharp- Ch. 13 Case # 16-30001

Mr. Webber,

I am writing on behalf of the New York State Department of Taxation and Finance (NYS DTF) in connection with the above debtor. The NYS DTF filed a secured proof of claim in the amount of \$46,261.30 (copy attached). The debtor's Plan fails to provide any payment of the NYS DTF proof of claim. Please advise whether you will amend the Plan to provide for full payment of the claim pursuant to 11 U.S.C. §1325.

Thank you,

Kileen C. Davies

Senior Attorney

New York State Department of Taxation and Finance

W A Harriman Campus, Office of Counsel, Building 9 Room 228, Albany, NY 12227
(518) 457-2070 | Kileen.Davies@tax.ny.gov

www.tax.ny.gov

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Sharp - letter to atty Webber 6 10 16.pdf

80K

Daren Webber <darenawebberllc@gmail.com>

Mon, Jun 20, 2016 at 5:32 PM

To: "Davies, Kileen C (TAX)" <Kileen.Davies@tax.ny.gov>

Cc: "Jeffrey L. Sapir's Office" <info@sapirch13tr.com>

I have been trying to reach the debtor for several weeks with no luck I have emails out to the debtor and hope to have a reply asap. I suspect the the debtor will dismiss.

Thank you in advance for your attention to this matter.

Daren

[Quoted text hidden]

Davies, Kileen C (TAX) <Kileen.Davies@tax.ny.gov>

Tue, Jun 21, 2016 at 7:39 AM

To: Daren Webber <darenawebberllc@gmail.com>

Cc: "Jeffrey L. Sapir's Office" <info@sapirch13tr.com>

Good morning Mr. Webber.

Thank you for your response. I understand this case is on for a confirmation hearing today and a dismissal hearing on 6/28/16. The plan is not confirmable in its current form so I would think it would be denied confirmation today as it stand now. I will wait for the status of both the confirmation hearing and dismissal hearing and I appreciate your update for this case.

Kileen C. Davies
Senior Attorney

New York State Department of Taxation and Finance
W A Harriman Campus, Office of Counsel, Building 9 Room 228, Albany, NY 12227
(518) 457-2070 | Kileen.Davies@tax.ny.gov

www.tax.ny.gov

From: Daren Webber [<mailto:darenawebberllc@gmail.com>]
Sent: Monday, June 20, 2016 5:32 PM
To: Davies, Kileen C (TAX) <Kileen.Davies@tax.ny.gov>
Cc: Jeffrey L. Sapir's Office <info@sapirch13tr.com>
Subject: Re: James Sharp- Ch. 13 Case # 16-30001

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Daren Webber <darenawebberllc@gmail.com>

16-30001-cgm JAMES SHARP2 messages

Daren Webber <darenawebberllc@gmail.com>

Fri, May 20, 2016 at 10:25 AM

To: "Frances_Fredericks@nysb.uscourts.gov" <Frances_Fredericks@nysb.uscourts.gov>

Dear Ms. Fredericks,

I am aware that the above-referenced case was moved from Manhattan to Poughkeepsie.

Firstly, Dr. Sharp is a repeat filing with whom I previously represented. Mr. Sharp was strongly advised of the fact that he MUST appear at his 341a hearings as well as complete his IRS tax filings as I have been in communication with the IRS and they are seeking to object to the instant case for Dr. Sharp's failure to file tax returns. Dr. Sharp has informed me that he is seeking to complete said tax filings. This admonition is documented in my file.

Secondly, According to Dr. Sharp, due to the nature of his business/employment he maintains two addresses: The NYC address and the Lagrangeville, NY address. Although Dr. Sharp filed a Chapter 13 case November 20, 2015, at our initial meeting respecting the instant case, Dr. Sharp told me that the NYC address has been his domicile for more than six (6) months. It for that reason that the matter was filed in the Manhattan division by me personally.

Warm regards,

Daren

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"One who breaks an unjust law that conscience tells him is unjust, and who willingly accepts the penalty of imprisonment in order to arouse the conscience of the community over its injustice, is in reality expressing the highest respect for law.

Injustice anywhere is a threat to justice everywhere.

Our lives begin to end the day we become silent about things that matter."